



CITY OF DANBURY
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PLANNING COMMISSION
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MINUTES
JULY 7, 2021

The web-based meeting hosted on Zoom was called to order by Chairman Arnold Finaldi Jr. at 7:30 PM.

Present were Robert Chiocchio, Helen Hoffstaetter, Perry Salvagne, and Arnold Finaldi. Also present was Deputy Planning Director Jennifer Emminger.

Absent were Joel Urice and Alternates Kevin Haas and Gary Renz.

Mrs. Hoffstaetter made a motion to accept the June 16, 2021 minutes. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote with four ayes.

PUBLIC HEARING:

Nejame Plaza LLC – Application for Special Exception/Revised Site Plan Approval to permit Storage of Concrete Aggregates or Manufacture of Concrete & Concrete Products, Storage of Bituminous Product, Storage or Sale of Building Materials, & Storage of Construction Equipment (Nejame Pool Industrial Site) in the IG-80 Zone - 44 Payne Road (N12004) - SE #776.

Chairman Finaldi announced that this public hearing has been rescheduled to the July 21, 2021 meeting.

CONTINUATION OF PUBLIC HEARING:

Newtown Road LLC/Maria & Manuel Andre, Manuel Neves Gouveia Marques, & Antonio Mendes Gouveia Marques – Application for Special Exception/Site Plan Approval for Child Day Care Center in the CG-20/RA-8 Zone – 36 Newtown Road, 40 & 42 Newtown Road, Whitney Avenue (K13188, K13190 & K12255, & K12254) – SE 780.
THIS APPLICATION IS TABLED - THERE WILL BE NO ACTION TAKEN OR DISCUSSION ON IT.

Chairman Finaldi said the applicant has requested the Planning Commission table the public hearing to its July 21, 2021 meeting. Mrs. Hoffstaetter made a motion to table and continue this public hearing. Mr. Chiocchio seconded the motion and it was passed unanimously by voice vote with four ayes.

Wooster Mountain Realty LLC - Application for Special Exception/Site Plan Approval for Medical Office (Danbury Proton LLC) and Trip Generation Over 500 Vehicle Trips Per Day in the IL-40 Zone - 85 Wooster Heights Road (G18062) - SE #781.

Attorney Thomas Beecher said he had responded to the comments from the Planning Department, Construction Services, the City Traffic Engineer, and the Airport Administrator in a letter dated July 1, 2021. He then spoke about the traffic counts saying that the Regulations have a liberal trip generation formula. The actual number of trips is less than half of the calculation using the formula. He said Wooster Heights is an arterial roadway and they anticipate only one-third of the traffic to go through the residential part of the roadway.

Benjamin Doto PE said he had responded to the Fire Marshal and the Engineering Department comments in a separate letter dated June 30, 2021. Revised plans were also submitted at that time. He said there will be no construction entrance; all of that traffic will go through the signalized intersection with Wooster Heights Road. He explained in detail all of the issues they had at the Keystone site and explained how it impacted the traffic. He then said that Keystone building was ten times the size of this building, so the traffic for the construction of this building will be nothing like it was for that project. The majority of the work will be done in the first year and they do not anticipate there being a significant impact on the traffic. He spoke extensively about the actual construction of the building since it is being built into the ground. Additionally, the entire construction of the second phase will be built underground. Attorney Beecher said any materials that are removed from the site will be transported down to Route 7, not through Wooster Heights. He then said they have been working with the Airport Administrator to resolve the tree trimming easement.

Chairman Finaldi asked if there was anyone else to speak in favor of this application. He said there also is a City Council meeting going on at the same time as this meeting. He said he knew some of the Council members had wanted to speak, but in case they don't get the chance, they had sent letters to Mrs. Emminger which she would read into the record. City Councilman Paul Rotello's letter said he supports this proposal but asked the petitioner to address the disturbance that could occur during the construction. City Councilman Duane Perkins letter said he was not sure if he is in favor or opposed to this. Chairman Finaldi asked if there was anyone to speak in opposition to this application. City Councilman Benjamin Chianese said he is not opposed, but his constituents are

concerned about the traffic impact during the construction of this building. He asked about the proposed easements that will be required and the possibility of limiting exits from the site to right turn only to prevent traffic from going through Southern Boulevard.

Mrs. Emminger then read a letter in opposition from Bebe Jackson, who lives at 6 Terre Haute Road. Most of her concerns were regarding the already heavy traffic on Wooster Heights Road.

Also speaking in opposition were Kim McCormack, 26 Terre Haute Road, who said traffic is already backed up on Wooster Heights Road. She asked how many additional cars the Keystone site brought onto the roadway. She asked if there will be blasting done on the site and if the neighbors would be notified.

Janet Murphy, 18 South Cornell Road, said she wanted to back up what Ms. McCormack was saying. She said she is not opposed to this project but questioned why they were not notified of this proposal.

Jackie Reizes, 6 Dartmouth Lane, said she also is not opposed to this project, but is opposed to the neighborhood not hearing anything about this project. She said even after they contacted their City Councilman, who assured them that they would be informed, they still know only what they have heard at the hearings.

Since there was no one else to speak in opposition, Chairman Finaldi offered Attorney Beecher the chance to answer and rebut what has been said. Attorney Beecher asked their traffic engineer to answer Mr. Chianese's questions about the traffic signal and intersection..

Traffic Engineer Michael Galante from Hardesty & Hanover said there are no changes being proposed to the operation of the existing traffic signal. Additionally no lane will be added they just are proposed to repair Wooster Heights on certain areas of the roadway. And no turning movements will be restricted from their site onto Wooster Heights Road. Mr. Doto then spoke about the easements that would be required along the frontage, and for the traffic signal box.

Attorney Beecher said he was sorry that the neighbors expected further communication as no one mentioned it to him. He said notice of this hearing was posted on the City website property is located in the IL-40 zone, which allows this type of use. He added that medical offices are a special exception use in the IL-40 zone and they have less of an impact than some of the other industrial uses that are permitted. He said he understands that the neighbors must be tired of construction but this is a good project and a good use for this property. He continued saying that once this is completed it will not be disruptive. And that the airport location and the green roof are the nuances of the project. The intersection of Lee Farms driveway and Wooster Heights Road will continue to operate at the same Level of Service (LOS) and there will be no negative impacts. Lastly, he

referred to the standards in Sec. 10.C.4. of the Zoning Regulations and pointed out how this project meets all of them.

Chairman Finaldi asked Mrs. Emminger if they were waiting for any Department reports. Mrs. Emminger said the plans and responses were distributed yesterday. They are still waiting for a final report from the City Traffic Engineer. She said there is some information that needs to be sent to her before they close the hearing. Mr. Doto said this has been sent to her email.

Stephen Courtney, Danbury Proton LLC, said this project has been in the works since at least last April and there was no attempt to keep it a secret. He added that there is tons of information about this project available on their website.

Ms. McCormack asked another question about why the traffic on Wooster Heights Road is not considered a problem. Chairman Finaldi said there was a formal presentation on the traffic made at the last meeting and there has been a ton of testimony regarding this issue, so their decision will be made based on all of the information they have heard.

Mr. Salvagne made a motion to close this hearing. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by voice vote with four ayes. Mrs. Emminger asked them to move this to Old Business so they can give her guidance so she can prepare a resolution for the next meeting. Mrs. Hoffstaetter made a motion to move this item to number two under the Old Business for Discussion and Possible Action. Mr. Salvagne seconded the motion and it was passed unanimously by a voice vote with four ayes.

OLD BUSINESS FOR DISCUSSION AND POSSIBLE ACTION:

Nutmeg Square LLC - Application for Revised Special Exception/Revised Site Plan Approval for Fast Food Restaurant ("Jersey Mike's") and Trip Generation over 500 Vehicle Trips Per Day in the CG-20 Zone (& Small Piece of IG-80) - 70-72 Newtown Road (L12026) - SE #697.

Chairman Finaldi said the Commission members should have received a draft resolution by e-mail. Mrs. Emminger reviewed the language in the resolution saying it contains all of the standard conditions. Mr. Chiochio said he had watched the video of the previous meeting and has reviewed all of the documents so he is eligible to vote on this application. Mrs. Emminger said this is a 1,500 sq.ft. change of use and she included a paragraph regarding the request made by the City Traffic Engineer for pedestrian improvements. The language states that the Commission gave due consideration to the request and determined that the requested improvements are beyond the scope of this application and not required especially since the State is re-working Newtown Road at this time. Mr. Salvagne then made a motion to approve the draft resolution dated July 1,

2021. Mr. Chiocchio seconded the motion and it was passed unanimously by a voice vote with four ayes.

Wooster Mountain Realty LLC - Application for Special Exception/Site Plan Approval for Medical Office (Danbury Proton LLC) and Trip Generation Over 500 Vehicle Trips Per Day in the IL-40 Zone - 85 Wooster Heights Road (G18062) - SE #781.

Chairman Finaldi said he is very familiar with this site as he has worked at the Lee Farm building for the past sixteen years.. He added that he understands the concerns that have been expressed regarding the traffic impacts caused by the construction of the Keystone project and the Army Reserve building. He added that the scale of this project is much less than both of those were and the impact will be much less. Mr. Salvagne then said he agrees with what Chairman Finaldi said and believes that once this is done, the traffic impact will be minimal. Mrs. Hoffstaetter said this is a great opportunity for the City and construction always causes problems while it is going on, but is quickly forgotten once the site is built. Mr. Chiocchio said he also worked at the Lee Farm office building and he empathizes with the neighbors, but the magnitude of this project is much less than the previous projects, so the impact should be much less. Mrs. Emminger said she would add the specific conditions to the resolution, like the avigation easement, and she would work with the Airport Administrator before finalizing the draft resolution.

NEW BUSINESS:

8-3a Referral: Petition of Sharon B. Calitro, Planning Director to Amend Sections 2.B and 10.J. of the Zoning Regulations. (Moratorium on the Acceptance of Applications, Amendments, Petitions or Issuance of Zoning Permits for or related to Cannabis Establishments; & new Definitions) Zoning Commission public hearing scheduled for July 27, 2021. THIS DATE IS SUBJECT TO CHANGE DEPENDING ON CIRCUMSTANCES RELATED TO COVID-19.

Chairman Finaldi said this would be discussed at the July 21, 2021 meeting.

OTHER MATTERS:

Discussion of procedure for future meetings.

Chairman Finaldi said the latest public act authorizes the meeting to be held on Zoom until April 2022 and they are supposed to discuss how they would like to proceed.. He said this is not a decision that has to be made tonight since the City Council Chambers is being remodeled and will not be available until September or early October, so only

Conference Room 3C will be available on a limited basis. Mrs. Emminger said they just need to discuss this and come to some sort of agreement. They can keep doing the meetings on Zoom until the decision is made. Mr. Salvagne said he would like to wait until Mr. Urice is present to make this decision so they could get his input. Chairman Finaldi said that Mr. Urice messaged him and said that he would like to keep meeting on the Zoom platform for now and reconsider this once the renovation of the Chambers is completed. Mrs. Hoffstaetter pointed out they also have the hybrid option of continuing to meet on Zoom unless there is a big public hearing where they anticipate a lot of public comment; in that case, they could hold the meeting in person. Mr. Chiochio said they have no choice until the renovations to the Chambers are completed, but he thinks Mrs. Hoffstaetter's hybrid idea is a good one. Mrs. Emminger said that is enough for now and she would check with Corporation Counsel to see if the hybrid idea would be feasible. Chairman Finaldi thanked them for their input on this issue.

Chairman Finaldi noted that there was no Correspondence or Referrals. He added that there was one Floodplain Permit listed under For Reference Only.

At 9:12 PM, with no further business to discuss, Mrs. Hoffstaetter made a motion to adjourn. Mr. Chiochio seconded the motion and it was passed unanimously by voice vote with four ayes.

Respectfully submitted,

JoAnne V. Read
Planning Assistant